Research Report

TRAPPING IN NORTHERN ALBERTA
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Council

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TRAPPING IN NORTHERN ALBERTA

Introduction

The Northern Alberta Development Council was created in 1963 as an Advisory Council to the provincial government. Through its revised Act of the Legislature (1973) it is charged with the responsibility to:

"investigate, monitor, evaluate, plan and promote practical measures to foster and advance general development in northern Alberta and to advise the government on matters respecting:

a) social and economic development,
b) development of communities, and
c) development of government services and programs to meet the needs of northern Alberta."

Given the above mandate the NADC over the past 10 years has engaged in a number of activities relating to the development of, and support for, the trapping industry in northern Alberta.

The objectives of this report are to:

a) Summarize the activities of various groups in conjunction with issues and concerns relating to trapping in northern Alberta.

b) Examine recent changes to the composition and mandate of the Trappers Compensation Review Board.

c) Make recommendations from the Northern Alberta Development Council to the provincial government regarding the trapping industry in northern Alberta.

Northern Alberta Development Council Involvement with Trapping Concerns

The Northern Alberta Development Council is involved with many aspects of the trapping industry. Trapping briefs presented to the Northern Alberta Development Council have dealt with the following concerns:

A) Requests for support when the original Trappers Compensation Board was proposed.

B) Request for assistance in developing an independent and self-sufficient trapping industry in the province.

C) Request for assistance in obtaining information and support for compensation due to a loss of trapping livelihood.

D) Request for assistance in locating funds to continue the publication of the Alberta Trapper.

E) Alberta Trappers Association concerns regarding multiple resource conflicts and inequities in the Trappers Compensation Program.

F) Request for assistance from trappers to:
   i) obtain more information regarding the Trappers Compensation Program
   ii) develop better communications between trappers and oil and gas companies.

The NADC has supported the Alberta Trappers Association through assistance in developing and monitoring:

1) The Trappers Compensation Program.

2) Grants for the Association:

i) 1977/78 grant to assist the Association in promoting the upgrading of the provincial fur industry.

ii) 1976/77 grant to assist in the continued publication of the Alberta Trapper.

3) Research: A Preliminary Review of the Alberta Fur Trapping Industry, M.T.B. Consultants, Edmonton, 1979.

The Northern Alberta Development Council continues to be active in circulating briefs and working with government departments and other organizations on various issues relating to trapping and economic development in northern Alberta.

Alberta Trappers Association

The Alberta Trappers Association consists of 29 A.T.A. locals, the majority of which are located in the NADC area. According to a brief submitted by the Alberta Trappers Association to the Environmental Council of Alberta hearings, there are 3000 registered trappers and 5000 resident trappers in Alberta. The Alberta Trappers Association presently has a membership of approximately 1096 registered and resident trappers from throughout the Province.

The Alberta Trappers Association publishes a quarterly journal called The Alberta Trapper, in order to keep its members up-to-date on recent provincial and national events. Association activities on behalf of trappers include:

- the presentation of briefs outlining trapping concerns to various forums such as Integrated Management Plan hearings.

- promotion of pro-trapping activities to counter anti-trapping groups,
- promotion and improvement of trapping equipment and methods.
- review and comment on various provincial government programs and policy initiatives through the Alberta Trappers Association representative on the provincial Fish and Wildlife Advisory Council.

The most recent review of policy and legislation related to trapping involves proposed revisions to the Wildlife Act that would allow a registered trapper as a license holder to sell the trapping rights to his/her registered area. Presently trapping rights are only transferable.

Trapping Issues and Concerns

Issues relating to trapping in northern Alberta range from small localized problems to international issues which end up effecting northern trappers via market reactions. Concerns presented to the NADC involve mainly provincial or regional problems. These issues, roughly priorized, include:

i) Continuing adverse effects of resource development activities on trapping

Conventional oil and gas, heavy oil, forestry, mineral exploration and mining have all created problems for trappers. Presently, the Trappers Compensation Program focusses mainly on problems relating to the conventional oil and gas industry and the heavy oil industry, in part.

The heavy oil industry is involved in the Trappers Compensation Program in a slightly different way than conventional oil and gas. While some companies involved in the heavy oil industry pay into the compensation fund all, negotiations regarding compensation are

expected to occur directly between the company and the trapper, given the long-term nature of the industrial activity.

A brief presented to the Northern Alberta Development Council by a Loon Lake resident commented on trapping problems caused in part by the provincial reforestation program called Maintaining our Forests (MOF). The program clears areas of crown land and replants the area with coniferous trees.

The brief indicated that the MOF program resulted in a loss of trapping opportunities in the registered trapping area, and questioned the justice of one government department "wiping-out" a man's business for which he is licenced by that same government. The Forestry Division is not included in the Trappers Compensation Program, although a trapper could theoretically approach the Compensation board for damages caused by Alberta Forest Service.

Another concern involves the problem of identifying which company is responsible for particular damages or disruptions when a number of companies are actively exploring in the same area. Also related to this are concerns regarding the cumulative effect of a number of resource companies undertaking a variety of short and long term activities in a concentrated area.

The Alberta Trappers Association is working hard to try and convince the Department of Energy and Natural Resources that the Trappers Compensation Program should be amended to apply to other private sector and provincial departmental activities in the renewable resource sector. The Compensation Board has adopted a more flexible approach in examining claims submitted involving problems other than conventional oil and gas activities. As well, claims are considered

from anywhere in the Province, rather than just in the Green Zone. However, the only resource industries paying into the fund are conventional oil and gas and heavy oil. The Trappers Compensation Review Board has made recommendations to the Minister of Public Lands to formally include other resource sectors under the program. Discussions are continuing regarding this issue.

II) Grazing Lease and Trapper Conflicts

Conflicts between trappers and grazing lease holders have been raised through briefs to the Northern Alberta Development Council. Essentially, a trapper has the right to trap on any and all crown land area within his/her registered trapping area, including areas of grazing lease. The policy however, strongly encourages the trapper to contact the lease holder and gain permission to enter the grazing lease area. Grazing lease holders also tend to discourage trapping on their leases through activities such as range management programs, fencing and ignoring cattle on and off dates. Public Lands is responsible for approving and monitoring these various activities. The trapper has a less priviledged position than that of the lease holder regarding the use of the crown land being administered under a multiple land use policy.

II) Native Involvement in Alberta Trappers Association

The lack of native trapper involvement in the Alberta Trappers' Association remains a problem. While native trappers make up half of the registered trappers in the Province, very few are active members within the Alberta Trappers Association. One reason given for this lack of participation by native trappers is the perception that most of the members of the Association are only recreational trappers who don't make a living trapping. The A.T.A. recognizes the lack of native trapper involvement in the Association and is actively campaigning to recruit new members.

IV) Anti-Trapping Activities/Fur Institute Pro-Trapping Activities

A growing concern and frustration among trapping groups involves the activities of anti-trapping lobby groups who have stopped harassing individual trappers and directed their efforts at shutting down existing fur markets.

In response to anti-trapping publicity, the fur industry and Trappers Associations across Canada recently formed The Fur Institute of Canada. The Institute was formed to "promote the conservation and optimum development of the fur resources of Canada, and to encourage and develop humane harvesting methods and animal husbandry". Essentially its objectives are to counter anti-trapping publicity through an educational campaign of its own. At the Northern Alberta Development Council meeting with Hon. D. Sparrow in April, 1983, concern was expressed by the Minister over anti-trapping activities and their effects on the industry. Proposed revisions to the Wildlife Act include the development of a provincial humane trapping educational program to make people aware of various efforts being undertaken to develop a more "humane" industry.

At a recent meeting with the Northern Alberta Development Council the chairman of the Trappers Compensation Review Board indicated that 1% of the price paid to trappers for their furs is being allocated between the Fur Institute and local trapping associations in order to increase the basic awareness of trapping issues to the public from the industry's perspective.

In June, 1984, the Alberta government signed an agreement with the Fur Institute of Canada to assist in a major research project to develop and promote humane trapping systems. The research is to occur at the

Environmental Research Centre in Vegerville. It has been noted, however, that while the Province is sponsoring research into humane trapping for the industry, it is at the same time cutting back on provincial support to the maintenance of the trapping industry through reductions to the support staff of the Trappers Compensation Review Board.

Trappers Compensation Program

I) Organizational Structure

The Trappers Compensation Program has been in place since August, 1980. The program involves the review and validation of compensation claims submitted by trappers for damage and loss of trapping income from conventional oil and gas activities or other unknown sources.

The Trappers Compensation Review Board consists of six representatives appointed by Ministerial order. The individuals appointed represent the Canadian Petroleum Association, the Independent Petroleum Association of Canada, 3 trappers representing Indian trappers, Metis trappers, the Alberta Trappers Association and a chairman from the public-at-large. The Fur Coordinator for the Fish and Wildlife Division acts as secretary to the Board.

II) Mandate

The Trappers Compensation Review Board operates as a mechanism to review individual trapper's claims for compensation due to a variety of reasons. The Board has estimated that only 25% of all claims for losses come to the attention of the Board. Recommendations are made by the Board to the Associate Minister for Public Lands and Wildlife on individual claims or any other issue affecting the trapping industry. All compensation recommended by the Board must be ratified by the Associate Minister.

Payments from Fund

Statistics indicate that the Trappers Compensation Review Board reviewed 38 claims and recommended total compensation of $15,447.41 during 1982-83. Claims were as follows:

vandalism/theft	21
loss of fur production	9
arson	4
loss of income	2
inconvenience	1
damaged equipment	1

It is estimated that these numbers doubled in the 1983-84 year, with roughly 72 claims being reviewed and $31,000.00 recommended for compensation.

It is important to note the role of the Board as a mediating body. It is estimated that the Board, acting as an informal mediator between trappers and industry, was successful in securing approximately $30,000.00 more dollars in compensation to trappers. This money was never part of the Fund. To summarize, the Board was instrumental in obtaining approximately $60,000.00 worth of compensation to trappers last year.

III) Operating Procedures

In investigating briefs presented to the Northern Alberta Development Council, frustration has been expressed by trappers regarding the time lapse between when a claim is registered and when a decision regarding compensation is made.

The Trappers Compensation Review Board meets 5 - 6 times per year to review claims. The Board has indicated that claims involving theft are the easiest to handle while claims involving oil and gas companies are more complex and often require more time for further investigation. A suggestion has been made to the Board by a northern Alberta trapping local that a letter should be issued to the trapper acknowledging his claim and indicating a rough time line regarding when the review will occur. Another suggestion to deal with the time lapse was that if a claim appears valid upon initial review but requires further investigation, a partial payment could be made to the trapper, which would be applied to the final compensation settlement.

IV) Awareness of Program

Many trappers, especially native trappers, are only vaguely aware of the Trappers Compensation Program even though the program has been operating for approximately three years. However, the three Trapping Resource Officers in the Province who assist trappers in contacting companies and submitting claims to the board are extremely busy following up on claims and other related trapping issues.

Many native people are not comfortable with the process of direct negotiations and hesitate to deal directly with a resource company. In some instances, companies have shuffled the trapper back and forth between Calgary and their field persons. In other situations the particular problem did not fit the criteria of the program. This has led to a fair amount of frustration by some trappers who have tried to access the program and been unsuccessful to a large degree due to a lack of awareness regarding the details of how the compensation program operates.

A large percentage of trappers also do not keep accurate records of their costs and activities associated with their trapping activities making it difficult and time consuming for the Board to document many claims.

In order to try and increase awareness of the program, Fish and Wildlife have completed a draft handout of a brochure explaining the history of the program, the functions of the Trappers Compensation Review Board and the procedures involved in submitting a claim.

V) Oil and Gas Activity-Trapper Notification Process

Presently oil and gas companies are required by law to notify the holder of a registered trapping area of any oil and gas activity intended in that area 5 days prior to the start of any developments. In many cases 5 days notification has not been adequate and problems of damage etc., have occurred.

The provincial Ombudsman, in the Special Report of the Ombudsman for Alberta Re: Complaints of the Lubicon Band (see Appendix A) discussed this issue and recommended "that the government undertake a review designed to ensure that notice of intention to build cutlines is given to trappers operating in the area of the cutline, and other interested parties as far as possible in advance of the commencement of work on the cutline".

The Department of Energy and Natural Resources is intending to implement new procedures in the winter of 1984/85 in an attempt to increase the notification of pending logging/forestry activities to trappers.

VI) Trapline Resource Officer Positions

An important component of the Trappers Compensation Program are three positions within the Department of Fish and Wildlife called Trapline Resource Officers. These three positions act as direct liasons between trappers, various resource companies and the Trappers Compensation Board in assisting trappers to prepare claims and contact and negotiate with companies etc. There are three Trapline Resource Officers for the province, two of which serve within the NADC area. These positions have been full-time since the start of the progam. Recently additional, unrelated duties were assigned to the positions that in effect, reduced them to less than full time positions.

In a previous meeting with the Hon. D. Sparrow (1983) the NADC expressed support for the Trappers Compensation Program and specifically, the valuable role that the Trapline Resource Officers play in promoting the program and assisting trappers. The reductions in the positions could affect the coordination and effectiveness of the program, just as it is becoming relatively well established.

Summary

The Northern Alberta Development Council made the following summary statements to the Hon. D. Sparrow, Associate Minister of Public Lands and Wildlife at the joint meeting of April, 1983.

1. The Northern Alberta Development Council supports the trapping industry in northern Alberta and the Trappers Compensation Program administered by the Fish and Wildlife Division. The role of Trapline Resource Officers as a direct line between trappers and the Compensation Board in handling a trapper's concerns is, viewed as being very necessary and beneficial.

2. With multi-use resource pressures continuing on wildlife, the Northern Alberta Development Council would support a review of the Trappers Compensation Program to examine the program and the types of compensation agreements being reached.

When the Northern Alberta Development Council met with representatives of the Trappers Compensation Review Board and Fish and Wildlife officials in November, 1984, the Northern Alberta Development Council strongly supported the Trappers Compensation Review Board in seeking to have the Trapline Resource Officer positions within the province maintained as full-time positions devoted to working directly with trappers and the industry.

The Northern Alberta Development Council will continue to promote practical measures to maintain the trapping industry in northern Alberta and looks forward to further discussions in order to achieve this objective.

RECOMMENDATIONS

Recommendation I

The Northern Alberta Development Council recommends an extension of the existing Fish and Wildlife and Alberta Trappers' Association community contact program into the remote/isolated communities of northern Alberta. By establishing local contacts the Trappers Compensation Program could be further publicized and utilized by registered trappers in these areas.

Discussion

Presently the Alberta Trapppers Association designates one member in each local to be the contact person for trappers or Trapline Resource Officer enquiries etc. One problem in requesting to expand this arrangement into the isolated communities is that few of the communities have A.T.A. locals, for reasons previously discussed. There have also been attempts in the past to form a provincial native trapping association which would parallel the A.T.A., but none have been very successful. One of the first tasks of the Fish and Wildlife Native liason officer positions that are being developed should be contact with the isolated communities in order to establish local trapping spokespersons and/or locals. The Northern Alberta Development Council will continue to develop and discuss proposals with Fish and Wildlife regarding alternatives for the isolated communities.

Recommendation 2

The Northern Alberta Development Council supports the existing Trappers Upgrading Course offered through the Fish and Wildlife Division and recommends further expansion of the program into northern communities in order to promote better fur harvesting and management techniques.

Discussion

This one week course has been very successful in raising the quality of furs being sold and in promoting basic management skills.

Recommendation 3

The Northern Alberta Development Council supports the concept of one Trappers Association within Alberta. The Council recommends further discussions with Fish and Wildlife and the Alberta Trappers Association to explore ways of strengthening and expanding the Association in order to assist it in representing the concerns of all registered and resident trappers of Alberta.

Recommendation 4

The Northern Alberta Development Council supports the recommendation of the Alberta Trappers Association that the Trappers Compensation Program be reviewed and formally expanded to include resource activities other than the conventional oil and gas industry. A more equitable arrangement should exist between industries paying into the Fund, the types of compensation claims being settled and the ability of a trapper to adequately resolve concerns with other resource users.

Discussion

The Trappers Compensation Program is authorized to assess and issue compensation to a registered trapper anywhere in the Province for damages related to vandalism, theft, arson and short-term losses caused by the field activity of the conventional oil and gas industry. However, the only sector paying into the fund is conventional oil and gas. The basic rational for this is that other resource sectors are in an area a long time, allowing plenty of time for direct negotiations. The inclusion of other resource users in paying into the fund would:

i) acknowledge the effects of their activities on the trapping industry.

ii) create a more equitable bargaining position for a trapper to then approach the company for direct negotiations regarding compensation.

APPENDIX A

SPECIAL REPORT

OF THE

OMBUDSMAN FOR ALBERTA

RE: COMPLAINTS OF THE
LUBICON LAKE INDIAN BAND

AUGUST, 1984

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(b) Traplines and Wildlife

The specific allegation which was investigated was that provincial and oil company workers had been instructed to bulldoze deliberately traplines belonging to native people and to scare game out of the area by firing rifles off into the air. As noted in the introduction, I could review the actions of oil company workers only insofar as the allegation suggested that they had been instructed to do this by officials or employees of the Government of Alberta.

In order to understand the background of this allegation, one must realize that the area which encompasses Little Buffalo is a major site of resource development. A number of oil companies have sought and been granted permits to conduct seismic testing and other exploration.

Considering that the area is heavily forested, the oil companies, to gain access to the exploration sites, must develop cutlines. This involves bulldozing trees and constructing roadways that will allow the other equipment and vehicles to enter the area.

At the same time, citizens, including residents of Little Buffalo, have trapline licences and some rely on their trapping activities as a major source of income.

Clearly, these facts provide the basis for conflict.

There is no question that traps and snares have been damaged or destroyed by the bulldozing operations. Whether this can be termed "deliberate" depends, to some extent, on the definition one wishes to attach to "deliberate." It is perhaps more appropriate to question whether the action was wilful or negligent.

One can speculate as to whether a given bulldozer operator, told to build a road, simply moves forward without regard to what is in his way or whether he is simply unable to see the traps and snares which are in his way.

My investigation was limited to the question of whether there was any provincial government involvement in the sense that direction or even encouragement was given to bulldozer operators and others to destroy or ignore the traplines.

There is absolutely no evidence before me that this has happened.

Much of the "evidence" which alleged such provincial government involvement is nothing more than speculation. No witness who was interviewed during the course of the investigation was able to provide direct or even indirect evidence of such involvement, nor was I able to find independently any such evidence. One witness to whom I was referred, who was said to have information on this point, denied, both orally and in a written statement, the quotes which had been attributed to him which, it was alleged, would prove such involvement. I have no reason to doubt the credibility of this witness, especially after he was specifically questioned on the point by my investigators.

Similarly, there is no evidence that any provincial government employee or official has ever encouraged anybody to fire a gun to scare away animals. Although I received some evidence that people had discharged firearms, which may have disturbed wildlife, no one was able to provide any information which would allow me to identify these people. I am unable to say whether they were hunters, or oil company workers, or even residents of the area. Obviously, therefore, I am unable to suggest that their actions were deliberate, let alone motivated by instructions from government officials. Again, much of what my complainants regard as "evidence," I must discount as speculation.

Insofar as the trapping was concerned, rather than finding that the government is encouraging destruction of traps and snares, I found evidence that the government is concerned enough about the problem to establish a board to deal with it.

The Trapper Compensation Program, established in 1980, provides compensation for losses of trapping income and damages which stem from activities of the conventional oil and gas industry and for losses and damages to equipment and furs caused by unknown parties. The officials of the Program can, in appropriate cases, act as an informal mediator between a trapper who has suffered a loss and the oil company or any other industry or individual which caused it.

It is interesting to note that the Trapper Compensation Review Board, which administers the Program, has never received an official written complaint from a trapper in the Little Buffalo Lake area. There are a number of possible reasons for this. For example, evidence I have received indicates that in some cases, complaints are settled on the spot between the trapper and the oil company.

I do see an area within the administration of the program which should perhaps be reviewed. In order to set the

stage for this proposal, it is necessary to describe the procedures employed by the Program.

A trapper who suffers damages must initially report it to a Fish and Wildlife officer, forestry officer or a police officer. The trapper is then supplied with the name of the oil company or other firm involved and directed to negotiate compensation directly with the company. If unsuccessful in such negotiations, he may make a written claim to the Trapper Compensation Review Board.

While these procedures might not seem overly burdensome to most people, I do have a concerr that it might not fully take into account cultural differences that exist between natives and the white man. Some of those who are regularly dealing with natives, and particularly those in the Little Buffalo area, refer to the "passive nature" of some of the trappers and their hesitation to complain to someone in authority, particularly if he wears a uniform. However, the program insists on the first approach being made to an authority, usually uniformed.

While there is no easy answer to this problem, I express the hope that the provincial officials involved in the Trapper Compensation Program will take the initiative in reviewing the

communication process to ensure that it meets the commendable object for which it was established.

RECOMMENDATION 1

THAT the officials responsible for the Trapper Compensation Program review critically their requirements for the reporting of damage to traps and snares, in an effort to take into consideration the various cultural backgrounds of those who are likely to come into contact with the program.

The other area on which I must make some comment relates to the procedure by which trappers are notified that a road is to be built in the area they are trapping. The current procedure requires the oil company to send a registered letter to the trappers in the area of the proposed road, giving them five days' notice that construction is to begin.

Many of the trappers have postal addresses some distance from their residences, and make only very infrequent trips to collect their mail. This can lead to situations where the notification letter is received six months after the road has been constructed. Clearly, such a situation is undesirable.

When a firm takes out a permit to explore an area, it files, with the government, a plan showing the proposed course for the cutlines it will build to gain access to the exploration site. It seems to me that trappers who are going to be affected should be given as much advance notice as possible of these plans. While one company has recently undertaken a program of having an employee go to the area and try to speak personally with trappers, I recognize that it is not always possible to locate the trappers while they are on their traplines. I also recognize that there are some firms, doing exploration work, which are concerned that providing notice far in advance of the commencement of work will result in disclosure of their plans to their competitors.

It may well be difficult to balance these interests, but I remain of the view that it can be considered unfair to leave trappers in a position where they have no effective notice of the plans to build a cutline before the work is completed. It may be that government officials, after consultations with exploration firms and trappers, can develop a system where, for example, markers are placed on trees along the proposed cutline route.

Whatever ideas emerge from such consultations, it would have to be an improvement over a system which clearly is not working in the way in which it was intended.

RECOMMENDATION 2

THAT the government undertake a review designed to ensure that notice of intention to build cutlines is given to trappers operating in the area of the cutline, and other interested parties, as far as possible in advance of the commencement of work on the cutline.

Until such a review can be completed, and changes implemented, it may be that the government should ensure the continuation of a procedure which was introduced during the 1983-84 trapping season for the notification of trappers resident in the Little Buffalo area. The notification letters were, as usual, mailed to the postal address given by the trapper, but an additional notification was given to the Lubicon Lake Band office. While this is still not an ideal procedure, in that trappers out on the trapline might still not learn of the proposed construction, it was regarded as an improvement by many people.

No changes will guarantee that traps and snares are not ever damaged or destroyed. Indeed, it may well be that some trappers would choose not to move the traps and snares, even if they do have notification. However, doing everything possible to ensure that the notification is received before the construction begins gives an important appearance of fairness.